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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/544,279	08/03/2005	Aliaksandr Alexeevich Antanouski	2447.0060000	1358

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EXAMINER	
TANINGCO, MARCUS H	

ART UNIT	PAPER NUMBER
2884	

MAIL DATE	DELIVERY MODE
09/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/544,279	ANTANOUSKI, ALIAKSANDR ALEXEEVICH	
	Examiner	Art Unit	
	Marcus H. Taningco	2884	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 June 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *10-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 August 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Claim Objections

Claim 10 and 18 are objected to because of the following informalities: Claim 10 and 18 recite the term "spectrums" which should be replaced with the term "spectrum". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 10, 11, 13, 15, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Chan et al. (*Chan*, US 2003/0085163).

With regards to claim 10, Chan discloses a system and method for remote access and analysis of data comprising: an inspection station (*inspection station may comprise x-ray scanners, gamma scanners, any nuclear based imaging scanner, and/or any combination thereof [0023]*) to detect X-ray data obtained from an item under inspection, said inspection station comprising an X-ray scanner (*inherently comprising a microprocessor controller*); means (*information transfer device*) to pass X-ray data from said scanner to an operator interface (*preprocessing unit*), wherein said interface receives and displays an X-ray image of the item under inspection, reconstructed (*processor having a spectrums analysis unit*) from the X-ray data. Chan discloses that in some cases, the operator may decide that the item under inspection warrants further inspection and may pass (*through an information input device and a connecting unit*) said X-ray data to another inspection station (*expert system*) [0018-0019].

With regards to claim 11, Chan discloses said inspection stations are connected in a local network (*channel for two-way transfer of audio and video information*) [0019].

With regards to claim 13, Chan discloses said unit comprises a scanner [0019].

With regards to claim 15, Chan discloses a common housing containing said detection unit and said preprocessing unit (Fig. 1)

With regards to claim 16, Chan discloses said preprocessing unit is connected to a remote expert system for receiving instructions therefrom for further processing of the item under inspection [0027].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 12, 14, and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan et al. (*Chan*).

With regards to claim 12, Chan discloses a preprocessing unit, but fails to teach said unit consists of a smart phone or a notebook. Instead, Chan discloses said unit comprising a desktop computer with the capability of wirelessly communication to a remote access (see Fig. 2 and the corresponding description). Those skilled in the art appreciate that the preprocessing unit taught by Chan and the preprocessing unit recited in claim 12 would be considered art recognized equivalents. Providing a smart phone or notebook in communication with the data collection station would provide greater mobility and would have been considered a matter of routine design choice.

With regards to claim 14, Chan discloses said system may comprise a plurality detection units disposed at a plurality of check points, each detection unit being connected to said preprocessing unit (see Fig. 5 and corresponding description). Chan fails to teach an identification marker. Nevertheless, the system taught by Chan is provided to identify and locate potential threats, and would benefit from each detection unit having an identification marker. Thus, it would have been obvious to one with ordinary skill in the art at the time the invention

was made to modify Chan with identification markers in order to efficiently and accurately identify and locate potential threats.

With regards to claim 17, Chan discloses said system may comprise a plurality detection units disposed at a plurality of check points, each detection unit being connected to said preprocessing unit (see Fig. 5 and corresponding description). Chan fails to teach GPS receiver. Nevertheless, the system taught by Chan is provided to identify and locate potential threats, and would benefit from each detection unit having an identification marker. Thus, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Chan with a GPS receiver in order to efficiently and accurately identify and locate potential threats.

With regards to claim 18, Chan discloses a system and method for remote access and analysis of data comprising: an inspection station to detect X-ray data obtained from an item under inspection, said inspection station comprising an X-ray scanner (*inherently comprising a microprocessor controller*); means (*information transfer device*) to pass X-ray data from said scanner to an operator interface (*preprocessing unit*), wherein said interface receives and displays an X-ray image of the item under inspection, reconstructed (*processor having a spectrums analysis unit*) from the X-ray data. Chan discloses that in some cases, the operator may decide that the item under inspection warrants further inspection and may pass (*through an information input device and a connecting unit*) said X-ray data to another inspection station [0018-0019] and that said preprocessing unit is connected to a remote expert system for receiving instructions therefrom for further processing of the item under inspection [0027]. Although not specifically taught, it would have been obvious to one with ordinary skill in the art

at the time the invention was made to modify Chan with a channel to one of a national emergency warning system in order to provide immediate response.

With regards to claim 19, Chan discloses said system may comprise a plurality detection units disposed at a plurality of check points, each detection unit being connected to said preprocessing unit (see Fig. 5 and corresponding description). Chan fails to teach GPS receiver. Nevertheless, the system taught by Chan is provided to identify and locate potential threats, and would benefit from each detection unit having an identification marker. Thus, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Chan with a GPS receiver in order to efficiently and accurately identify and locate potential threats.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus H. Taningco whose telephone number is (571) 272-1848. The examiner can normally be reached on M - F 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on (571) 272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marcus Taningco
Patent Examiner
GAU 2884

CONSTANTINE HANNAHER
PRIMARY EXAMINER